## Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of	)	
ATX TELECOMMUNICATIONS SERVICES, LTD.	) ) )	File No. EB-01-IH-0017b NAL/Acct. No. 200132080033
	)	

## MEMORANDUM OPINION AND ORDER

**Adopted:** February 12, 2003 **Released:** February 14, 2003

By the Chief, Enforcement Bureau:

- 1. In this *Order*, we cancel a *Notice of Apparent Liability for Forfeiture* ("*NAL*")<sup>1</sup> that the Enforcement Bureau issued to ATX Telecommunications Services, Ltd. ("ATX") for apparent willful violation of 47 C.F.R. § 52.15(f), which requires certain carriers to report number utilization and forecast data. We issued the *NAL* because it appeared that ATX had failed to report on its actual and forecast number usage by filing FCC Form 502, the North American Numbering Plan Numbering Resource Utilization/Forecast ("NRUF") Report that was due on September 15, 2000.<sup>2</sup>
- 2. ATX responded to the *NAL* and states that it filed the September 15, 2000 NRUF report. After considering ATX's response and reviewing the record, we find that we should cancel the proposed monetary forfeiture.<sup>3</sup>
- 3. Accordingly, IT IS ORDERED THAT, pursuant to 47 U.S.C. § 504(b) and 47 C.F.R. § 1.80(f)(4), the *NAL* issued to ATX Telecommunications Services, Ltd. IS HEREBY CANCELLED.

<sup>&</sup>lt;sup>1</sup> See ATX Telecommunications Services, Ltd., 16 FCC Rcd 8590 (EB 2001).

<sup>&</sup>lt;sup>2</sup> The NRUF reports are due on or before February 1 and on or before August 1 of each year. *See* 47 C.F.R. § 52.15(f)(6). However, we note that the deadline for filing reports due August 1, 2000 was extended to September 15, 2000. *Numbering Resource Optimization*, CC Docket No. 99-200, 15 FCC Rcd 17005 (2000).

<sup>&</sup>lt;sup>3</sup> See 47 U.S.C. § 504(b); 47 C.F.R. § 1.80(f)(4).

4. IT IS FURTHER ORDERED that a copy of this *Order* shall be sent by Certified Mail/Return Receipt Requested, to Scott Kellogg, Regulatory Affairs, ATX Telecommunications Services, Ltd., 225 West Ohio, Suite 200, Chicago, Illinois 60610.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon Chief, Enforcement Bureau